

# LAHIVE & COCKFIELD LLP

COUNSELLORS AT LAW  
28 STATE STREET  
BOSTON, MASSACHUSETTS 02108-1784  
TELEPHONE (617) 227-7400  
FAX (617) 742-4214  
lc@lahive.com

JOHN A. LAHIVE, JR. (1928-1997)  
THOMAS V. SMURZYNSKI  
RALPH A. LOREN  
GIULIO A. DECONTI, JR.  
ANN LAMPORT HAMMITTE  
ELIZABETH A. HANLEY  
AMY BAKER MANDRAKOURAS  
ANTHONY A. LAURENTANO  
KEVIN J. CANNING  
JANE E. REMILLARD  
DEANN FORAN SMITH  
PETER C. LAURO  
DEBRA J. MILASINIC, Ph.D.  
DAVID J. RINKERS  
DAVID R. BURNS  
JOHN S. CURRAN  
SEAN D. DETWEILER  
MEGAN E. WILLIAMS, Ph.D.

LISA M. DIROCCO  
MATTHEW P. RUSSELL  
MARIA LACOSTRE ZACHARAKIS, Ph.D.  
VINCENT P. LOCCISANO  
MERLOETH C. ARNOLD  
DANIELLE L. HERRITT  
GUIMON LEE \*\*

SENIOR COUNSEL  
JAMES E. COCKFIELD

OF COUNSEL  
JEREMIAH LYNCH  
WILLIAM A. SCOFIELD, JR.  
SIBLEY P. REPERT  
JEANNE M. D'GIORGIO  
CYNTHIA L. KANIK, Ph.D.

PATENT AGENTS  
THEODORE R. WEST  
SHAYNE Y. HUFF, Ph.D.  
CYNTHIA M. SOROS  
PETER W. DINI, Ph.D.  
JONATHAN M. SPARAS, Ph.D.

TECHNICAL SPECIALISTS  
CATHERINE M. BISHOP  
JACOB C. WEINTRAUB  
CRISTIN E. HOWLEY, Ph.D.  
JILL ANN MELLO, Ph.D.

\* Admitted in TX only  
\*\* Admitted in CT only

## Facsimile Cover Sheet

**To:** Commissioner for Patents  
Examiner: Deepak R. Rao  
**Company:** U. S. Patent and Trademark Office  
**Location:** Box AF  
Washington, D.C. 20231  
**Phone:** (703) 305 - 1879  
**Fax:** (703) 308 - 4556

**FAX RECEIVED**

APR 7 2003

**GROUP 1600**

**From:** Theodore R. West  
**Phone:** (617) 227-7400  
**Fax:** (617) 742-4214

**Attorney Docket No.:** NCI-006DV1  
**Serial No.:** 09/932,677  
**Group Art Unit:** 1624

**OFFICIAL**

**Date:** April 4, 2003  
**Sent By:** TRW

**Pages including this  
cover page:** 22

**Message:**

The documents transmitted by this facsimile are intended for the use of the individual or the entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of the message is not the intended recipient, or the employee or agent responsible for delivering this document to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original facsimile to us at the above address via the U.S. Postal Service. Thank you.

In re the application of: Donald F. Weaver, *et al.*  
 Serial No. 09/932,677  
 Filed: August 16, 2001  
 For: Anti-Epileptogenic Agents

Case Docket No. NCI-006DV1

COMMISSIONER FOR PATENTS  
 BOX AF  
 Washington, D.C. 20231

Sir:

Transmitted herewith for filing in connection with the above-identified application are the following:

- ☒ Amendment and Response to Final Office Action Pursuant to 37 C.F.R. §1.116 (17 pages);
- ☒ Request for One-Month Extension of Time (1 page) (in duplicate);

The fee has been calculated as shown below:

(Col 1)	(Col 2)	(Col 3)
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL = 135	MINUS ** 73	= 62
INDEP = 3	MINUS *** 3	= 0
<input checked="" type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP CLAIM		

SMALL ENTITY	
RATE	ADDIT FEE
▲ 9 =	\$ 00
▲ 42 =	\$ 00
▼ 140 =	\$ 00
TOTAL	
ADDIT FEE	\$0 00

OR

OTHER THAN A SMALL ENTITY	
RATE	ADDIT. FEE
▲ 18 =	\$ 1116.00
▲ 84 =	\$ 0.00
▼ 280 =	\$280.00
TOTAL	\$1396 00

OR

- \* If the entry in Col 1 is less than the entry in Col 2, write "0" in Col 3.
- \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space
- \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed.
  - ☒ For the above filing fees under 37 CFR 1.16 for the presentation of extra claims \$1396.00.
  - ☐ Any patent application processing fees under 37 CFR 1.17.
- ☒ Please charge any additional fees or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed. Applicants request any extensions of time necessary to respond

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, BOX AF, Washington, DC 20231 on

Date

April 4, 2003  
 Theodore R. West, Reg. No. 47,202

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Theodore R. West  
 Reg. No. 47,202  
 Agent for Applicants